

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NICHOLAS GALLELLI, an infant, by and
through his Parents and Natural Guardian,
MARC GALLELLI and LINDA GALLELLI, and
MARC GALLELLI and LINDA GALLELLI,
Individually,

Plaintiffs,

- against -

CROWN IMPORTS, LLC, GRUPO MODELO,
S.A. de C.V., aka G MODELO
CORPORATION, BARTON BRANDS, LTD.,
and BARTON BEERS, LTD.,

Defendants.
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Docket No.: CV 08 3372 (LDW)

LOCAL RULE 7.1 STATEMENT

Pursuant to Federal Rule 7.1 and Local Civil Rule 1.9 of the United States District Court for the Southern and Eastern Districts of New York, the undersigned, counsel for the defendants, CONSTELLATION SPIRITS INC. formerly known as BARTON BRANDS, LTD., and BARTON BEERS, LTD., hereby certifies that:

(1) CONSTELLATION SPIRITS INC. formerly known as BARTON BRANDS, LTD. is a privately held, Delaware Corporation. Its parent company, Barton, Inc., is a wholly-owned subsidiary of Constellation Brands, Inc., a publicly traded company on the New York Stock Exchange.

(2) BARTON BEERS, LTD. is also a privately held Delaware Corporation. Its parent company is also Barton, Inc., a wholly-owned subsidiary of Constellation Brands, Inc. which is a publicly traded company on the New York Stock Exchange.

Dated: White Plains, New York
September 9, 2008

Yours, etc.,

A handwritten signature in dark ink, appearing to read 'T. Cerussi', written over a horizontal line.

Thomas F. Cerussi
CERUSSI & SPRING
Attorneys for Defendants
CONSTELLATION SPIRITS INC. f/k/a
BARTON BRANDS, LTD., and BARTON
BEERS, LTD.
One North Lexington Avenue
White Plains, New York 10601-1700
Tel. No. (914) 948-1200

TO: LAW OFFICES OF ROBERT F. DANZI
Attorneys for Plaintiffs
900 Merchants Concourse, Suite 214
Westbury, New York 11590
Tel. No. (516) 228-4226

AFFIDAVIT OF SERVICE BY FIRST CLASS MAIL

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

ELIZABETH FIGUEROA, being duly sworn, deposes and says that she is employed by Cerussi & Spring, attorneys for defendants, CONSTELLATION SPIRITS INC. formerly known as BARTON BRANDS, LTD., and BARTON BEERS, LTD., herein, is not a party to this action, is over 18 years of age, and resides in Mahopac, New York. That on the 9th day of September, 2008, I served the within:


LOCAL RULE 7.1 STATEMENT

by mailing a copy of same in a sealed envelope, with postage prepaid thereon, in an official depository of the U.S. Postal Service within the State of New York, addressed to:

LAW OFFICES OF ROBERT F. DANZI
Attorneys for Plaintiffs
900 Merchants Concourse, Suite 214
Westbury, New York 11590
Tel. No. (516) 228-4226


ELIZABETH FIGUEROA

Sworn to before me on this
9th day of September, 2008


Notary Public

THOMAS FRANCIS CERUSSI
Notary Public, State of New York
No. 02CE4971320
Qualified in Westchester County
Commission Expires August 27, 2010